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February 19, 2021

Via ECF and email
Hon. Nelson S. Román
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *Waterkeeper Alliance, Inc. v. Spirit of Utah Wilderness, Inc.*, 10 CV 1136 (NSR-LMS)
REQUEST FOR EXTENSION OF TIME TO SURRENDER,
OR PURGE CIVIL CONTEMPT

Your Honor:

By Memo Endorsed 1/14/2021, the Court extended Jeffrey Salt's date to surrender to the U.S. Marshalls for the Southern District of New York, located at 300 Quarropas Street, White Plains, N.Y., until March 1, 2021. Salt, requests another **extension** of the **surrender/purge** date to a date **on or after May 1, 2021**. This request is based upon the dangers of the COVID-19 health emergency. The COVID-19 pandemic continues to be a severe problem in the State of Utah. <https://www.sltrib.com/news/health/2021/02/18/number-new-covid-cases/> <https://coronavirus.utah.gov/case-counts/>.

Mr. Salt, a non-party to the underlying case, is currently present in the State of Utah. Utah has begun vaccinations for healthcare workers, long-term care facility staff/residents, first responders, people 65 years old and older, K-12 teachers and school staff. (<https://coronavirus.utah.gov/vaccine>). Beginning March 1, 2021, residents of Utah, 18 years old and older, who have enumerated, medical conditions will qualify for vaccination. <https://coronavirus.utah.gov/vaccine-distribution/#eligibility>. Salt is not eligible for vaccination now nor does he qualify under any of the March 1st eligibility criteria. Salt must wait for a vaccine until April at the earliest as explained by the State of Utah:

We expect COVID-19 vaccines will be available starting in April for other age groups, people with underlying medical conditions not listed above, and those who live in congregate settings and are at higher risk for the virus that causes COVID-19. Vaccines should be available for the general public in late spring or early summer. *Id.*

Therefore, travel from Utah to New York poses a risk of infection to residents of New York, including the Federal Marshalls, New York inmates, correction officers and others, including Salt. Accordingly, Salt requests an extension of the surrender/purge date to a date on or after May 1, 2021.

This application should be granted in the interest of justice. An adjournment to a date on or after May 1, 2021 makes sense, because the ongoing COVID-19 pandemic is not yet under control, continues to plague Utah and New York, and makes travel to New York risky for Salt, a 61-year-old man, as well as for those Salt would come into contact with, should he travel to New York by March 1, 2021.

Adjourning the surrender/purge date until Salt becomes eligible for the COVID-19 vaccine in the Spring is supported by the extant health emergency and common sense.

Respectfully submitted,



Daniel A. Hochheiser

Cc: all counsel via ECF